

REMARKS

On June 3, 2010, Examiner and the undersigned had a telephone conference regarding the application, in which Examiner indicated that claims 16-24 would be allowable if amended to address issues he perceived under 35 U.S.C. §112. The present amendment seeks to rectify these perceived issues. Examiner further noted that independent claims 1, 4 and 5 and the claims that depend thereupon remain rejected, but that cancellation of those claims, cancellation of the claims that stand withdrawn (*i.e.*, claims 7-15 and 25-44), and amendment of claim 16 to address the issues noted above would place the application in condition for allowance. Applicants wish to thank Examiner for the telephone conference. Without conceding to the merits of these issues identified by Examiner, in an effort to advance prosecution Applicants have canceled claims 1-15 and 25-44, and have amended claim 16.

Claim 16 has been amended to clarify various terms therein, ensure proper antecedent basis, and add the use of "an excitation light source" as the mechanism that generates the excitation pulse. Support for this amendment may be found throughout the application; for example, at page 10, line 19 through page 11, line 2.

In a voicemail message left by Examiner for the undersigned, subsequent to the aforementioned teleconference, Examiner indicated that drawing sheets 8 and 9 were blurry, and he requested replacement sheets. Replacement sheets are thus included herewith.

Furthermore, Applicants note that the mathematical equations that appeared in the claims as originally filed were converted to a text version by the Patent Office upon publication of the application. This text version appears to have been used by both prior counsel in this application and by Examiner in connection with prosecution. However, the claims were never actually amended to replace the equations that originally appeared. Applicants believe that this is simply the result of a formatting error by the Patent Office. Thus, Applicants have once again included the equations in the claims filed with the present amendment, in the same form as they originally appeared in the application.

All of the claims in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 633-6800 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
Javier A. Jo *et al.*
DAVIS WRIGHT TREMAINE LLP

By: 

Seth D. Levy
Registration No. 44,869

865 South Figueroa Street, Suite 2400
Los Angeles, CA 90017-2566
Phone: (213) 633-6800
Facsimile: (213) 633-6899